

13281 U.S. PTO
020504

PTO/SB/05 (08-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. 000166.0109-US04	
		First Inventor David Edwards	
		Title INHALATION DEVICE AND METHOD	
		Express Mail Label No.	

APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small>	ADDRESS TO: MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original, and a duplicate for fee processing)</small> 2. <input type="checkbox"/> Applicant claims small entity status. <small>See 37 CFR 1.27.</small> 3. <input checked="" type="checkbox"/> Specification [Total Pages 23] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 13] 5. Oath or Declaration [Total Sheets 1] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small> 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATION PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input checked="" type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other:
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18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **09/835,302**

Prior application information: Examiner **Sabrina Dagostino** Art Unit: **3743**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: **26853** OR ☐ Correspondence address below

Name		COVINGTON & BURLING			
Address		1201 Pennsylvania Avenue, NW			
City	Washington	State	D.C.	Zip Code	20004-2401
Country	USA	Telephone	202.662.6000	Fax	202.662.6291

Name (Print/Type)	Andrea G. Reister	Registration No. (Attorney/Agent)	36,253
Signature	<i>Andrea G. Reister</i>		Date February 5, 2004

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FEE TRANSMITTAL for FY 2004		Complete if Known	
Effective 10/01/2003, Patent fees are subject to annual revision.		Application Number	Divisional of 09/835,302
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	February 5, 2004
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	David Edwards
770.00		Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	000166.0109-US04
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input type="checkbox"/> Deposit Account: Deposit Account Number: 50-0740 Deposit Account Name: Covington & Burling		Large Entity Small Entity	
<input type="checkbox"/> The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid	
FEE CALCULATION		1051 130 2051 65 Surcharge - late filing fee or oath	
1. BASIC FILING FEE		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.	
Large Entity Small Entity		1053 130 1053 130 Non-English specification	
Fee Code Fee (\$)	Fee Code Fee (\$)	1812 2,520 1812 2,520 For filing a request for ex parte reexamination	
1001 770 2001 385 Utility filing fee	770.00	1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
1002 340 2002 170 Design filing fee		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
1003 530 2003 265 Plant filing fee		1251 110 2251 55 Extension for reply within first month	
1004 770 2004 385 Reissue filing fee		1252 420 2252 210 Extension for reply within second month	
1005 160 2005 80 Provisional filing fee		1253 950 2253 475 Extension for reply within third month	
SUBTOTAL (1) (\$)		1254 1,480 2254 740 Extension for reply within fourth month	
770.00		1255 2,010 2255 1,005 Extension for reply within fifth month	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1401 330 2401 165 Notice of Appeal	
Total Claims 19 -20** =		1402 330 2402 165 Filing a brief in support of an appeal	
Independent Claims 1 -3** =		1403 290 2403 145 Request for oral hearing	
Multiple Dependent		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
Large Entity Small Entity		1452 110 2452 55 Petition to revive - unavoidable	
Fee Code Fee (\$)	Fee Code Fee (\$)	1453 1,330 2453 665 Petition to revive - unintentional	
1202 18 2202 9 Claims in excess of 20		1501 1,330 2501 665 Utility issue fee (or reissue)	
1201 86 2201 43 Independent claims in excess of 3		1502 480 2502 240 Design issue fee	
1203 290 2203 145 Multiple dependent claim, if not paid		1503 640 2503 320 Plant issue fee	
1204 86 2204 43 ** Reissue independent claims over original patent		1460 130 1460 130 Petitions to the Commissioner	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	
SUBTOTAL (2) (\$)		1806 180 1806 180 Submission of Information Disclosure Stmt	
0.00		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
**or number previously paid, if greater; For Reissues, see above		1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
		1810 770 2810 385 For each additional invention to be examined (37CFR 1.129(b))	
		1801 770 2801 385 Request for Continued Examination (RCE)	
		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify)	
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)	
		0.00	
SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Andrea G. Reister	Registration No. (Attorney/Agent)	36,253
Signature		Telephone	(202) 662-6000
		Date	February 5, 2004



Docket No.: 000166.0109-US04
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Edwards et al.

Application No.: Divisional of 09/835,302

Group Art Unit: N/A

Filed: February 5, 2004

Examiner: Not Yet Assigned

For: INHALATION DEVICE AND METHOD

TRANSMITTAL LETTER

MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Fee Transmittal;
2. Utility Patent Application Transmittal;
3. Application Data Sheet;
4. Utility application comprising: 19 pages of description; three pages of claims (19) claims; a one page abstract; and 13 sheets of formal drawings (Figs. 1-6, 7A-7D, 8, 9A, 9B and 10-15);
5. Copy of the Declaration for Utility Patent Application filed in prior Application No. 09/835,302;

6. Copy of the Power of Attorney from Assignee filed in prior Application No. 09/835,302;
7. Copy of the Statement under 37 CFR 3.73(b) filed in prior Application No. 09/835,302;
8. Information Disclosure Statement;
9. Form PTO/SB/08a/b;
10. Check No. 324031 for \$770.00 to cover the basic filing fee; and
11. Two return receipt postcards.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 000166.0109-US04. A duplicate copy of this paper is enclosed.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: February 5, 2004

Respectfully submitted,

By 
Andrea G. Reister

Registration No.: 36,253
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
(202) 662-6000